

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 10th DAY OF JULY 2006, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs	
	John A. Muffo	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Steve L. Spradlin	-Chair
	Annette S. Perkins	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where no Previous Announcement has Been Made of the Business= or Industry's Interest in Locating or Expanding its Facilities in the Community.

1. Project # 2006-08

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Bethel Elementary School Property

- (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Request for an easement across the New Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Doug Marrs		Steve L. Spradlin
James D. Politis		
John A. Muffo		
Mary W. Biggs		

OUT OF CLOSED MEETING

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
James D. Politis		Steve L. Spradlin
John A. Muffo		
Gary D. Creed		
Mary W. Biggs		

CERTIFICATION OF CLOSED MEETING

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

James D. Politis
John A. Muffo
Gary D. Creed
Doug Marrs
Mary W. Biggs

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins
Steve L. Spradlin

ABSENT DURING MEETING

Annette S. Perkins
Steve L. Spradlin

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Amend Montgomery County's Ordinance Entitled Transient Occupancy Tax

Proposed Ordinance Amending Chapter 2, Division 9, of the Code of the County of Montgomery, Virginia, Entitled Transient Occupancy Tax by Amending Section 2-170 and Creating Section 2-172 for the Purpose of Increasing the County Transient Occupancy Tax from Two Percent to Three Percent with the Excess Remitted over Two Percent Designated and to be Spent Solely for Tourism, Marketing of Tourism, or Initiatives that Attract Travelers to Montgomery County and Generate Tourism Revenues in Montgomery County.

The County Attorney explained that the General Assembly granted Montgomery County the authorization to increase its Transient Occupancy Tax up to 5% with any excess revenues over 2% designated for tourism. This ordinance proposes a 1% increase, from 2% to 3%. The ordinance will be on the Board's July 24 agenda for consideration. The increase will be effective October 1, 2006. If approved, it will allow the Commissioner of Revenue time to notify all businesses of the increase.

The County Administrator explained the 1% increase is at the request of the Montgomery County Chamber of Commerce. The Chamber requested Montgomery County, Town of Blacksburg and the Town of Christiansburg to allocate 1% of their Transient Occupancy Tax for tourism. The two towns increased their tax last year, which did not require General Assembly approval.

Several Board members asked what the Towns' Transient Occupancy Tax rate is and if they are they are allocating 1% to tourism.

Supervisor Muffo expressed concerns with the accountability of funding for tourism and if criteria will be developed. He also asked if the County was obligated to allocate 100% of the funds to the Chamber of Commerce.

The County Administrator explained that an agreement will be developed and criteria will be established. The County is not obligated to allocate all or any of the excess revenue from the 1% to the Chamber of Commerce. The Board can contribute the funds to any other company that promotes tourism.

Tacy Newall-Foutz encouraged the Board to make sure that there is a process in place and accountability for the funding for tourism. She does not want to see the County subsidizing the Montgomery County Chamber of Commerce's budget. Mr. Newall-Foutz stated that the Transient Occupancy Tax rate for the Town of Blacksburg is 6% and the Town of Christiansburg is 7%. They both provide 1% of their Transient Occupancy Tax for tourism. To date, both

towns have collected a combined total of \$170,000. The Town of Blacksburg submits their share on a quarterly basis to the Chamber and the Town of Christiansburg on a monthly basis. Ms. Newall-Foutz also believes that since this is a service the Chamber is offering, the County will have to issue an RFP for the service.

There being no further speakers, the public hearing was closed.

DELEGATION

Virginia Department of Transportation

David Clarke, Residency Administrator, provided an update on road issues in Montgomery County. He reported that VDOT has been working on flood related road problems county-wide. They also have been working on several ditching problems county-wide. Mr. Clarke reported they are ready to begin work on two revenue sharing projects, Fishers View Road and Seven Mile Tree Road. He had no report on the request for right-of-way access for the Loop Trail.

Mr. Clarke reported he received a citizen request for the County's unpaved portion of Flannagan Drive to be state maintained. He explained that Flannagan Drive is a Interstate frontage road and the unpaved portion is an extension of the frontage road and is not state maintained and therefore considered a private road. He explained that the Board could add the private unpaved portion to their Rural Addition Program in order for the road to get paved and become a state maintained road. The Board could also request the Commonwealth Transportation Board to extend the frontage road to include the private portion, making the entire length of the road an interstate frontage road.

Board members discussed this request and expressed concerns that if the road was included in their Rural Addition Program, it would take years to be paved as there are numerous projects already on the Rural Addition List. The best solution is to see if VDOT could extend the frontage road status in which interstate funding would be used to upgrade the road.

CONSENT AGENDA

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously, the Consent Agenda dated July 12, 2006 was approved.

The vote on the foregoing motion was as follows:

AYE

John A. Muffo
Gary D. Creed
Doug Marrs
James D. Politis
Mary W. Biggs

NAY

None

ABSENT

Annette S. Perkins
Steve Spradlin

Approval of Minutes

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously, the minutes dated May 22, 2006 were approved.

A-FY-07-02 FLOYD COUNTY LIBRARY APPROPRIATION FOR FY 06-07

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

720	Floyd Library	\$192,215
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The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
416156	Floyd County Reimbursement	\$138,163
416157	Town of Floyd Contribution	3,000
416151	Fines and Fees	10,000
424409	State Library Grant	<u>\$ 41,052</u>
	Total	\$192,215

Said resolution provides the appropriation for the operation of the Floyd Library with Floyd residents and the state providing the funding.

A-FY-07-03 DOG & CAT STERILIZATION APPROPRIATION

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

400	Dog and Cat Sterilization	\$ 1,787
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02 451205	Designated Fund Balance	\$1,787

Said resolution appropriates monies received during FY 06 as part of the Dog and Cat Sterilization Program.

**A-FY-07-04
REASSESSMENT
CARRIED FORWARD FY 06 FUNDS**

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

153	Reassessment	\$28,394
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated General Fund Balance	\$28,394

Said resolution appropriates the reassessment balances remaining at June 30, 2006 to be carried forward for use in the current year.

**A-FY-07-05
RE-APPROPRIATION OF GRANTS**

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

111	EMS Grants	\$ 357,128
201	Commonwealth Attorney-Domestic Violence	\$ 43,037
321	Offender Financed Drug Program	\$ 11,287
	DARE Program	\$ 2,079
	Selective Traffic Enforcement	\$ 1,768
	Community Policing	\$ 1,500
	Project Lifesaver	\$ 12,238
521	Human Services Assessment Grant	\$ 50,000
801	Dry Well Replacement	\$ 16,500
911	Mental Health Association	<u>\$ 301,726</u>
	Total	\$797,263

Sources of funds for the foregoing appropriation are as follows:

Revenue:

23212-424401 Selective Enforcement	\$1,768
23216-424401 Community Policing	\$1,500
28013-424401 Dry Well Replacement	\$16,500
02111-434401 Homeland Security	\$34,206
09111-434401 Mental Health Grant	\$301,726
02-451205 Designated Fund Balance	<u>\$441,563</u>
Total	\$797,263

Said resolution appropriates those grants for which balances are known. Re-appropriated balances are needed to cover the payment of invoices received and the refund of unexpended monies.

A-FY-07-06
RE-APPROPRIATION OF ENCUMBRANCES

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

100	Board of Supervisors	\$22,328
110	County Administration	\$11,290
111	EMS Grants	\$107,302
130	Financial and Management Services	\$4,365
140	Information Management Services	\$22,827
152	Assessment	\$3,752
153	Reassessment	\$205,365
170	Electoral Board	\$122
180	Internal Services	\$1,768
200	Commonwealth Attorney	\$10,742
330	Fire and Rescue	\$4,812
400	General Services	\$92,717
700	Parks and Recreation	\$10,554
710	Library	\$248,443
720	Floyd Library	\$52,761
800	Planning and GIS Services	\$6,508
801	Planning Grants	\$5,000
810	Economic Development	<u>\$2,292</u>
	Total	\$812,948

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451205 Designated General Fund Balance \$812,948

Said resolution re-appropriates monies supporting the balances of outstanding purchase orders in FY 06.

**A-FY-07-07
RE-APPROPRIATION OF
COUNTY CIP PROJECTS**

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

110	New Government Center	\$1,597,821
	Building C Renovation	338,524
	Courthouse Renovation	9,354,002
140	CAMA	17,000
	GIS	86,678
	Tax Integrated Management Information	45,151
	E-Government	95,937
	Strategic Technology Plan	63,770
	Mail Server	11,363
	MUNIS Online	2,050
330	Blacksburg Fire Department – Vehicle	45,000
	Christiansburg Fire Department-Equipment	2,655
	Elliston Fire Department-Vehicle	487,490
	Longshop/McCoy Fire Department-Equipment	12,419
	Riner Fire Department-Vehicle	49,273
	Christiansburg Rescue – Vehicle	35,174
	Long Shop McCoy Rescue-Equip	3,722
	Shawsville Rescue – Site Improvement	4,645
	Blacksburg Fire Department-Building	215,000
	Riner Rescue-Building	107,759
	Elliston Fire Department-Building	859,400
	Long Shop/McCoy Fire/Rescue-Building	621
400	Animal Control	25,000
	Elliston Bridge	22,036
	Consolidated Sites	32,689

	Athletic Fields	2,298,332
	CJ&S Property Improvements	11,569
	Future Land Purchases	1,411,673
700	Elliston/Lafayette Recreational Park	90,752
	Mid-County Park	13,805
	Plum Creek/Hornsby Recreational Park	90,835
	Miner's Park	34,985
	Shawsville and Riner Ballfields	58,667
710	Meadowbrook Library	25,340
810	Falling Branch Industrial Park	<u>3,704</u>
	Total	\$ 17,554,841

The source of funds for the foregoing appropriation is as follows:

Revenue Accounts:

451205	Designated Fund Balance	\$17,554,841
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Said resolution appropriates the available account balances for CIP projects. These balances exclude encumbrances which will be re-appropriated through a second resolution to carry forward funds which support open purchase orders.

**A-FY-07-08
COUNTY CAPITAL PROJECTS
RE-APPROPRIATION OF ENCUMBRANCES**

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

110	New Government Center/Building C	\$257,672
	Courthouse Renovation	\$346,226
140	Integrated Management Information System	\$102,786
330	Fire and Rescue	\$668,714
400	General Services	58,745
710	Meadowbrook Library	<u>4,202</u>
	Total	\$1,438,345

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451205	Designated County Capital Projects Fund Balance	\$1,438,345
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Said resolution re-appropriates monies supporting the balances of outstanding purchase orders for County Capital Projects.

A-FY-07-09
SCHOOL CAPITAL PROJECTS FUND
RE-APPROPRIATION OF PRIOR YEAR BALANCES

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, That the School Capital Projects Fund was granted an appropriation in addition to the annual appropriation for fiscal year ending June 30, 2007 for the function and in the amount as follow:

600	Capital Projects Fund - Schools	\$734,542
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451204	Capital Projects Fund Balance	\$734,542

Said resolution renames the School Construction Fund and appropriates the available account balances for CIP projects to be transferred to the Capital Projects Fund.

R-FY-07-01
VIRGINIA'S FIRST REGIONAL INDUSTRIAL
FACILITY AUTHORITY
APPOINTMENT

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **B. Clayton Goodman, III** to the Board of Directors of Virginia's First Regional Industrial Facility Authority effective July 1, 2006 and expiring June 30, 2010.

BE IT FURTHER RESOLVED, That **Brian Hamilton** is reappointed to serve as alternate for B. Clayton Goodman, III, effective July 1, 2006 and expiring June 30, 2010.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

R-FY-07-02
MONTGOMERY REGIONAL
ECONOMIC DEVELOPMENT COMMISSION
APPOINTMENT

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Don Langrehr** to the Montgomery Regional Economic Development Commission as an elected representative of the Town of Blacksburg effective July 11, 2006 and expiring January 23, 2009.

Said appointment fills the unexpired terms of Ron Rordam, resigned.

ORD-FY-07-01
AN ORDINANCE AMENDING
THE ZONING CLASSIFICATION OF APPROXIMATELY 2.631 ACRES
LOCATED AT 3262 & 3274 PEPPERS FERRY ROAD,
IDENTIFIED AS A PART OF TAX MAP PARCEL NO. 64-A-44, 45
(ACCT # 015577, 006254)
IN THE PRICES FORK MAGISTERIAL DISTRICT
FROM AGRICULTURE (A-1) TO GENERAL BUSINESS (GB)
WILTON & VADA M. RAKES

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of a 2.631 acre tract of land is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to General Business (GB) with the following proffered conditions:

1. Rezoning of the property to General Business (GB) shall be for the following permitted uses only:
 - Apartment as accessory use, maximum of two per business structure
 - Assembly of electrical, electronic devices, less than 3000 sq. ft. floor area
 - Business or trade school
 - Cabinet shop, furniture, upholstery, craft industry less than 3000sq. ft.
 - Church
 - Civic club

- Day care center
- Financial services
- Fire, police, and rescue facilities
- Funeral home
- Garden center
- Homeless shelter
- Laundromat
- Library
- Medical care facility
- Office, administrative, business, or professional
- Park
- Park and ride lot
- Pet, household
- Printing services
- Public utility lines, other distribution or collection facilities
- Public utility lines, water or sewer
- Radio station, excluding tower
- Retail sales and service
- School
- Telecommunication tower, attached
- Veterinary practice, animal hospital

2. Applicant agrees to remove four (4) mobile homes and the 1.5 story frame dwelling, as shown on the plat of survey for Wilton M. and Vada M. Rakes (COMM # M561) prepared by Roderick F. Pierson dated December 1, 2005, from the property within one (1) year of approval of rezoning. Also, applicant agrees to remove two (2) remaining mobile homes in the future.

3. Applicant agrees to provide a site plan prepared in accordance with Section 10-53(3) of the Montgomery County Code for any business use of the property including appropriate landscape buffering and entrance(s) approved by the VA Department of Transportation (VDOT) prior to issuance of any building permit.

This action was commenced upon the application of Wilton & Vada M. Rakes (Agent: Wes Rakes).

The property is located at 3262 & 3274 Peppers Ferry Road, and is identified as Tax Parcel No. 64-A-44, 45 (Acct # 015577, 006254) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Village (Belview) in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
James D. Politis		Steve L. Spradlin
John A. Muffo		
Doug Marrs		
Mary W. Biggs		

**R-FY-07-03
SPECIAL USE PERMIT
WILTON & VADA M. RAKES
ALLOW MINI WAREHOUSES
LOCATED AT 3262 & 3274 PEPPERS FERRY ROAD
PRICES FORK MAGISTERIAL DISTRICT
TAX PARCEL NOS. 64-A-44,45 (ACCT # 015577, 006254).**

On a motion by Doug Marrs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Wilton & Vada Rakes (Agent: WES RAKES) request for a special use permit to allow mini warehouses is hereby approved subject to the following conditions:

1. Applicant shall provide security by means of a fence with gate, lighting and part time supervision.
2. Applicant shall provide landscaping along Route 114 and western property line equivalent to a Type 4 landscape buffer in substantial conformance with sketch prepared by Montgomery County Planning & GIS dated June 21, 2006.
3. Applicant shall provide water at one location for emergency use.
4. Storage buildings shall be of a neutral color such as beige, gray, bone, etc. No orange or other bright colors will be permitted.
5. No storage building along Route 114 shall exceed fifty (50) feet in length without a spacing of at least fifteen (15) feet between buildings.
6. Storage buildings shall be setback a minimum of forty (40) feet from property line along Route 114 to conform to existing building setbacks.
7. Storage buildings shall not exceed a structure height of eighteen (18) feet.

The property is located at 3262 & 3274 Peppers Ferry Road, and is identified as Tax Parcel No. 64-A-44, 45 (Acct # 015577, 006254) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Village (Belview) in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
John A. Muffo		Steve L. Spradlin
Gary D. Creed		
Doug Marrs		
Mary W. Biggs		

R-FY-07-04
SPECIAL USE PERMIT
WTB PARTNERSHIP (AGENT: ANDERSON & ASSOCIATES)
TO ALLOW A CONVENIENCE STORE WITH MOTOR FUEL SALES
3730-3750 SOUTH MAIN STREET AND 715 DAVIS STREET
IN THE PRICES FORK MAGISTERIAL DISTRICT
ON TAX PARCEL NOS. 67A-A-6, 7, 9 (ACCT # 009666, 017338, 010219)).

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the WTB Partnership (Agent: Anderson & Associates) request for a special use permit to allow a convenience store with motor fuel sales is hereby approved subject to the following conditions:

1. Fuel storage shall comply with all applicable local, state and federal laws.
2. Canopy lighting shall be recessed to prevent glare onto adjoining properties and roadways.
3. A detailed site plan showing parking, landscaping, lighting, etc. shall be provided in compliance with Section 10-52 of the zoning ordinance prior to issuance of a building permit. Final site layout including fuel pumps and canopy shall be in substantial conformance with concept plan entitled, "US Bus. 460 Gas Station & Store" prepare by Anderson & Assoc., Inc. (Document No. 25082-002) dated June 19, 2006.

The property is located at 3730-3750 South Main Street and 715 Davis Street and is identified as Tax Parcel Nos. 67A-A-6, 7, 9 (Acct # 009666, 017338, 010219) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Gary D. Creed		Steve L. Spradlin
Doug Marrs		
James D. Politis		
Mary W. Biggs		

A-FY-07-10
SCHOOL RESOURCE OFFICERS
APPROPRIATION FOR FY 06-07

On a motion by Doug Marrs, seconded by Gary D. Creed and carried,

WHEREAS, The Montgomery County Sheriff's Department submitted grant applications soliciting funding for School Resource Officers for Christiansburg Middle School, Shawsville Middle School, and Auburn Middle School for FY 2006-2007; and

WHEREAS, The Montgomery County School Board has indicated the need for one school resource officer to be located at the Christiansburg Middle School, and has agreed to support the local match requirements for this position.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia authorizes an officer for the Christiansburg Middle School, Shawsville Middle School and Auburn Middle School for FY 2006-2007.

FURTHER, BE IT RESOLVED, The Board of Supervisors accepts the conditions of the program that requires a local match of 37.37% or \$15,464 for each officer.

FURTHER, BE IT RESOLVED, The Montgomery County Public Schools will pay the cost of the local match of \$15,464 for the school resource officer at the Christiansburg Middle School and the County will pay the cost of the local match for the school resource officer at Shawsville Middle School and Auburn Middle School for a total of \$30,928.

FURTHER, BE IT RESOLVED, The Board of Supervisors acknowledges that local dollars will be needed for the continuance of these positions in the future.

FURTHER, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

321	School Resource Officers	\$108,676
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
424401	State Grants	77,748
451203	Undesignated Fund Balance	<u>30,928</u>
	Total	\$108,676

BE IT FURTHER RESOLVED, That a transfer is authorized by the Board of Supervisors as follows:

FROM:

451200	Transfer to School Operating Fund	(\$15,464)
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TO:

321	School Resource Officer Grant Program	\$15,464
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Said resolution appropriates the School Resource Officer Grant funds and transfers the schools portion of the match for FY 2006-2007.

The vote on the foregoing resolution was as follows:

AYE

Doug Marrs
John A. Muffo
James D. Politis
Mary W. Biggs

NAY

Gary D. Creed

ABSENT

Annette S. Perkins
Steve L. Spradlin

Supervisor Creed explained he could not vote for approval of this resolution, as he believes the School Resource Officers (SRO) should be made part to the School Board's budget. The cost of the SRO's is part of the educational expense and should be shown in the total school budget.

Supervisor Biggs explained that the Schools could not monetarily support the SRO's.

A-FY-07-11
JUVENILE DETENTION HOME
TRANSFER FROM SPECIAL CONTINGENCIES
AND TRANSFER FROM GENERAL CONTINGENCIES

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies	(\$17,943)
960 Special Contingencies	<u>(\$40,000)</u>
Total	(\$57,943)

TO:

910 Juvenile Detention	\$57,943
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Said resolution transfers appropriated funds from General Contingencies and Special Contingencies to Juvenile Detention Home.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		Steve L. Spradlin
Gary D. Creed		
Doug Marrs		
Mary W. Biggs		

A-FY-07-12
SOCIAL SERVICES
ELIGIBILITY WORKER POSITION
TRANSFER FROM GENERAL CONTINGENCIES

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$21,300)
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TO:

540	Social Services	\$21,300
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BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

540	Social Services	\$21,300
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424401	Public Assistance	\$21,300

A-FY-07-14
SCHOOL OPERATING FUND
RINER CANNERY

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

610000	Instruction	\$16,228
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

451100	Transfer from General Fund	\$16,228
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BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

451200	Transfer to School Operating Fund	\$16,228
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The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$16,228
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Said resolution provides the appropriation necessary to operate the Riner Cannery for one year.

R-FY-07-05
RESOLUTION OF RECOGNITION
TOWN OF BLACKSBURG MAYOR
ROGER E. HEDGEPEETH

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

WHEREAS, *Roger E. Hedgepeth* has served the citizens of Blacksburg since 1980 when he began his first term as a Councilman; and

WHEREAS, *Roger E. Hedgepeth* was elected Blacksburg's Mayor in 1982 and has served six 4-year terms as Mayor of Blacksburg; and

WHEREAS, Roger E. Hedgepeth has been instrumental in guiding the direction of the Blacksburg community and its services during periods spanning years of rapid economic and community growth; and

WHEREAS, The Board of Supervisors recognizes the hard work, dedication, experience and leadership **Roger E. Hedgepeth** has demonstrated in his 26 years of service to the Blacksburg community.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to **Roger E. Hedgepeth** for his outstanding dedication to the Blacksburg community and the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Roger E. Hedgepeth** as a testimonial of the high esteem and appreciation in which he is regarded by the members of the Board of Supervisors and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
Gary D. Creed		Steve L. Spradlin
John A. Muffo		
Doug Marrs		
Mary W. Biggs		

R-FY-07-06
RESOLUTION OF RECOGNITION
BLACKSBURG TOWN COUNCIL
JOYCE K. LEWIS

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously,

WHEREAS, Joyce K. Lewis has served on the Blacksburg Town Council since 1986; and

WHEREAS, During her 20 years as a member of the Blacksburg Town Council, **Joyce K. Lewis** has been instrumental in guiding the direction of the Blacksburg community and its services during periods spanning years of rapid economic and community growth; and

WHEREAS, The Board of Supervisors recognizes the hard work and dedication **Joyce K. Lewis** has demonstrated in her 20 years of service to the Blacksburg community.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Joyce K. Lewis*** for his outstanding dedication to the Blacksburg community and the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Joyce K. Lewis*** as a testimonial of the high esteem and appreciation in which she is regarded by the members of the Board of Supervisors and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
John A. Muffo		Steve L. Spradlin
Doug Marrs		
James D. Politis		
Mary W. Biggs		

R-FY-07-07
RESOLUTION OF RECOGNITION
VIRGINIA TECH POLICE CHIEF
DEBRA DUNCAN

On a motion by Doug Marrs, seconded by James D. Politis and carried unanimously,

WHEREAS, Debra Duncan has served as Virginia Tech Police Chief since 2001; and

WHEREAS, The Board of Supervisors recognizes the hard work and dedication that ***Debra Duncan*** has demonstrated in working with and educating students, faculty and staff on police department services and safety issues.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Debra Duncan*** for her outstanding dedication to the students, staff and faculty at Virginia Tech.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Debra Duncan*** and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Doug Marrs		Steve L. Spradlin
James D. Politis		
Gary D. Creed		
Mary W. Biggs		

R-FY-07-08
RESOLUTION OF RECOGNITION
BLACKSBURG POLICE CHIEF
WILLIAM H. BROWN

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

WHEREAS, William H. Brown has served in the Blacksburg Police Department for 36 years, including more than 12 years as Police Chief; and

WHEREAS, During these 36 years, **William H. Brown** has served the citizens of Blacksburg with the utmost honesty and integrity; and

WHEREAS, The Board of Supervisors fully recognizes the hard work, dedication and leadership **William H. Brown** has demonstrated in his years of service to the Blacksburg community.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to **William H. Brown** for his outstanding dedication to the Blacksburg community and the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **William H. Brown** and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
James D. Politis		
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		

R-FY-07-09
RESOLUTION OF RECOGNITION
NEW RIVER VALLEY COMMUNITY SERVICES
LYNN CHENAULT

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

WHEREAS, Lynn Chenault has served the citizens of the New River Valley as Executive Director of New River Valley Community Services (NRVCS) since December 1983; and

WHEREAS, Lynn Chenault was instrumental in guiding NRVCS to its first national accreditation from the Commission on Accreditation of Rehabilitation Facilities in 2000, and again in 2003; and

WHEREAS, Under his leadership, NRVCS has grown from a staff of thirty employees to nearly 300 full and part-time employees; and

WHEREAS, Lynn Chenault has worked tirelessly over the years as a leading advocate for persons with mental disabilities.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to **Lynn Chenault** for his outstanding dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Lynn Chenault** and that a copy be made a part of the official minutes of Montgomery County. The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
Gary D. Creed		Steve L. Spradlin
Doug Marrs		
John A. Muffo		
Mary W. Biggs		

INTO WORK SESSION

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Contract with Goodwill
2. Appointments to Boards and Commissions

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
John A. Muffo		Steve L. Spradlin
Doug Marrs		

James D. Politis
Mary W. Biggs

Contract with Goodwill Industries

The County Administrator provided information related to funding for Goodwill Industries. Goodwill Industries has requested to be allowed to use funding by Montgomery County to add new residents to their program. On November 25, 2002, the Board approved to provide funding for four Montgomery County residents in order for them to continue through the workshop program that was to be terminated by New River Community Services. Of the original four residents, only two are being served currently by Goodwill Industries. Goodwill is requesting to fill the two vacant positions.

Montgomery County is the only locality providing local funding to Goodwill Industries. Pulaski County may provide funding in FY 07. Goodwill Industries does not keep a waiting list for services.

Montgomery County only pays for the hours the residents worked. Goodwill Industries bills the County on a monthly basis. The billing rates and payment information is outlined below:

Daily Rate	FY 03	FY 04	FY 05	FY 06	FY 07
Service	\$24.50	\$25.33	\$25.97	\$26.35	\$26.35
Transportation	\$8.99	\$7.99	\$8.19	\$11.02	\$15.20
Client Pay	\$4.19	\$4.19	\$4.19	\$0.00	\$0.00
Average # Clients	2	3	3	2	
Appropriation	\$17,010	\$21,010	\$20,050	\$22,830	\$21,933
Payments	\$8,750	\$19,798	\$19,304	\$16,850	

Payments for FY 03 were for 6 months only and the FY 06 payments are estimates.

At present only 2 of the original residents are participating in the program. Goodwill has asked to be able to fund 3 residents in FY 07, the two original residents and one new resident. At the time funding was redirected to Goodwill Industries the intent was to preserve the continuity of services of those Montgomery County residents enrolled in the program.

If the agency is allowed to add new clients, then costs can be anticipated to increase in future years and become a regular budget item.

Three alternatives were presented to the Board as follows:

1. Allow Goodwill to add new residents and address the funding annually through the budget process.

2. Cap the funding at the FY07 amount and allow the Goodwill to serve as many Montgomery County residents as the funding will support.
3. Provide funding for the continuation of services to the original residents only.

Following discussion by the Board, staff was directed to include a resolution on their next agenda to consider providing funding or the continuation of services to the original residents only.

Appointments to Boards and Commissions

Following the June 26, 2006 meeting, the Board directed staff to check the Board's policies and practices and determine if the Board of Supervisors has established a policy stating that the Board of Supervisors appoint persons to boards and commissions by district.

The County Administrator reported that the Board has not established a written policy requiring appointments be made to boards and commissions by district. Trying to represent all districts when making appointments came about in response to Board comments that they wanted to try and secure representation from as many areas of the County as possible.

The only commission which requires appointments by district is the Parks & Recreation Commission, which is included in their by-laws.

The County Administrator stated that even though they are seeking more equal representation that by no means are they precluding anyone. Also, vacancies on some of the boards and commissions are difficult to fill.

Supervisor Politis strongly believes it is viable to represent all districts whenever possible. Supervisor Marrs also stated that the Board should encourage equal representation from each district.

Supervisor Politis suggested that this issue be discussed again at the next board meeting when all Board members are present.

OUT OF WORK SESSION

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

NAY

ABSENT

Gary D. Creed	None	Annette S. Perkins
John A. Muffo		Steve L. Spradlin
Doug Marrs		
James D. Politis		
Mary W. Biggs		

BOARD MEMBERS' REPORTS

Supervisor Creed has heard reports that Elliston is one of the locations Norfolk Southern is considering for a transfer station. If Elliston is chosen there are concerns related to the traffic on US 460. Traffic is expected to increase and US 460 will not be able to handle the amount of truck traffic that is expected. Supervisor Creed suggested that they try to influence a direct link from the proposed site to the Interstate.

Supervisor Politis attended a 4-H Leadership Council meeting and was approached about the possibility of the County purchasing land for a 4-H facility to hold horse shows, 4-H fairs, etc. Supervisor Politis did not know if this would be feasible but asked the Board to consider the idea.

Supervisor Muffo commented that the 4-H is part of Virginia Extension, which is part of Virginia Tech. Kentland Farms is owned by Virginia Tech and was to be used for activities such as 4-H.

Following discussion, staff was instructed to contact Virginia Tech about their policy for uses at Kentland Farms. Staff was also instructed to meet with Montgomery County Extension staff to discuss their needs.

Supervisor Biggs reported that the School Superintendent, Dr. Anderson, has requested an Efficiency Study from the State. Montgomery County has been put on a waiting list.

Joint Work Session with School Board Supervisor Biggs reported that August 8 or August 29, 2006 are two dates to consider holding a joint work session with the School Board to discuss School Capital Projects.

ADJOURNMENT

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously, the Board adjourned to Monday, July 24, 2006 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
James D. Politis		Steve L. Spradlin
Gary D. Creed		
John A. Muffo		

Mary W. Biggs

The meeting adjourned at 8:30 p.m.

APPROVED: _____	ATTEST: _____
Steve L. Spradlin Chair	B. Clayton Goodman, III County Administrator